

Hitt Rebuttal Expert Report – Exhibit 44: Epic commission rate to third party platforms and distributors

Platform	Commission rate
Fortnite	
1. Microsoft	30%
2. Sony ^[1]	30%
3. Nintendo Co., Ltd.	30%
4. Apple Inc.	30%
5. Gearbox Software, LLC ^[2]	[REDACTED]
6. Samsung Electronics Co., Ltd	[REDACTED]
7. Google Inc	30%
Rocket League	
8. Microsoft	30%
9. Valve Corporation	30%
10. Sony	30%
11. Nintendo Co., Ltd.	30%
12. Other	30%
Dauntless	
13. Sony	30%
14. Microsoft	30%
Paragon [Retired]	
15. Sony	30%
16. Microsoft	30%
Unreal Tournament	
17. Valve Corporation	30%
Battle Breakers	
18. Apple Inc.	30%
Infinity Blade	
19. Apple Inc.	30%

△ DEFENDANT △	United States District Court Northern District of California
Case No.	4:20-cv-05640-YGR
Case Title	<i>Epic Games, Inc. v. Apple, Inc.</i>
Exhibit No.	DX-4800
Date Entered	
	Susan Y. Soong, Clerk
	By: _____, Deputy Clerk

Source: EPIC_03848271 (dated December 2, 2020); Sony Cross-Platform Policy Agreement; Addendum to Sony Cross-Platform Policy Agreement, “PlayStation4 Cross-Platform Policy Schedule to the PlayStation Global Developer and Publisher Agreement,” September 6, 2019, EPIC_03848141 – 49 at EPIC_03848143, 45, 47; and Epic Games, Inc.’s Responses and Objections to Apple Inc.’s Second Set of Interrogatories, Epic Games, Inc., v. Apple Inc., January 29, 2021 at pp. 12–13 Note:

[1] Sony and Epic agreed to allocate revenue generated from cross-platform commerce to PS4 using a revenue sharing model. As a result, under certain conditions, Epic’s commission rate to Sony could exceed 30%.

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[2] Gearbox is the distributor of Fortnite gift cards to retailers and Gearbox’s commission rate is based on a blended average depending on the platform the gift cards are redeemed on. Epic pays a commission rate of between [REDACTED] and [REDACTED] to Gearbox.